



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2900 FAX (603) 271-2456



July 2, 2002

**Certified Mail  
Return Receipt Requested**

**Letter of Deficiency  
No. WMD 02-19**

John Pinette  
Design Contempo, Inc.  
91 Saranac Street  
Littleton, NH 03561

**Re: HWC 96-025; Design Contempo, Inc., 91 Saranac Street, Littleton, NH 03561**

Dear Mr. Pinette:

On March 18, 2002, and June 20, 2002, personnel from the Department of Environmental Services, Waste Management Division ("DES") conducted inspections of Design Contempo, Inc. ("DCI") located at 91 Saranac Street, Littleton, NH ("Site"). The purpose of the inspections was to determine whether DCI was in compliance with RSA 147-A and rules adopted pursuant thereto relative to the management of hazardous waste.

As a result of the inspections, the following deficiencies were noted

1. DCI generates hazardous waste at the Site. DCI has not notified DES of its hazardous waste activities at the Site. Env-Wm 504.01(a) requires that hazardous waste generators notify DES prior to conducting any hazardous waste activities.
2. DCI generates a lacquer dust which has an EPA Waste Code of D001. The lacquer dust is collected in a metal 55-gallon drum which is labeled with the word "waste". Env-Wm 507.03(a)(1) a., b., c., and d. requires that containers or tanks used for the storage of hazardous waste be clearly labeled with the beginning accumulation date; the words "hazardous waste"; words identifying the contents of the container; and the EPA or state waste number. The drum was labeled in the presence of DES personnel during a follow-up inspection on June 20, 2002.
3. DCI generates used oil from maintenance on forklifts. DES observed one unlabeled 55-gallon drum of used oil. Env-Wm 807.07(b)(4) requires that containers of used oil destined for recycle be labeled with the words "Used Oil for Recycle". The drum was labeled in the presence of DES personnel during a follow-up inspection on June 20, 2002.

This letter serves to inform you that the above referenced Site conditions constitute violations of RSA 147-A, and its implementing regulations, specifically:

Env-Wm 504.01(a)	Failure to notify DES prior to conducting hazardous waste activities.
Env-Wm 507.03(a)(1) a., b., c., and d.	Failure to label containers of hazardous waste with the beginning accumulation date; the words "hazardous waste"; words identifying the contents of the container; and the EPA or state waste number.
Env-Wm 807.06(b)(4)	Failure to label containers of used oil with the words "Used Oil for Recycle".

DES believes that the cited deficiencies can be corrected by completing the following requested remedial actions within the time indicated:

1. **By July 31, 2002**, complete the enclosed notification form to obtain an EPA Identification number the Site.
2. **Immediately** ensure that all hazardous waste containers are labeled with the beginning accumulation date; the words "hazardous waste"; words identifying the contents; and the EPA or state waste code.
3. **Immediately** ensure that all containers of used oil destined for recycle are labeled with the words "Used Oil for Recycle".
4. **By August 5, 2002**, submit to DES written confirmation that these steps have been completed at the address below.

A written report as requested above should be addressed as follows

DES, WMD  
6 Hazen Drive  
Concord, New Hampshire 03301-6507

Attention: Kenneth W. Marschner

In the event compliance is not achieved within the time period indicated above, DES may initiate formal enforcement action against you, including issuing an order requiring the deficiencies to be corrected and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. DES reserves the right to pursue administrative fines for the violation(s) noted above.

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Your prompt cooperation is appreciated. Please contact Michael Galuszka at (603) 271-3899 if you have any questions or need further assistance.

Sincerely,

  
**COPY**

Kenneth W. Marschner  
Administrator  
Waste Management Programs

CC: DB/Town/File  
Philip J. O'Brien, Ph.D., Director, WMD  
Gretchen Rule, DES Legal Unit  
John Duclos, DES HWCS  
Town Clerk, Littleton, NH

Enclosure: Notification Form

Certified Mail RRR#: 7000 1670 0000 0584 2895